

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 580 Department or Agency Alabama Department of Mental Health
Rule No. 580-9-44-.10
Rule Title: Infection Control
New ☐ Amend ☒ X Repeal ☐ Adopt by ☐
Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? YES

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?

NO

Is there another, less restrictive method of regulation available that could adequately protect the public?

NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?

NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?

_____ NO _____

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? NO

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Date _____

REC'D & FILED

DEC 19 2019

(DATE FILED)
(STAMP)

Alabama Department of Mental Health

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Mental Health

RULE NO. & TITLE: 580-9-44-.10 Infection Control

INTENDED ACTION: Repeal

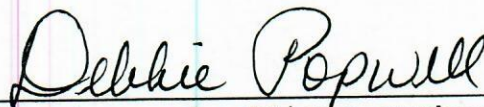
SUBSTANCE OF PROPOSED ACTION: We have created Chapter 580-2-20 to eventually combine the current rules for Mental Illness in Chapter 580-2-9 and Substance Abuse in Chapter 580-9-44.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested persons may submit data, views, or arguments in writing to Debbie Popwell, Director, Office of Certification Administration, Alabama Department of Mental Health, 100 North Union Street, Suite 540, Montgomery, Alabama 36130 by mail or in person between the hours of 8:00AM and 5:00PM, Monday through Friday, or by electronic means to Debbie.popwell@mh.alabama.gov until and including March 6, 2020. Persons wishing to submit data, views, or arguments orally should contact Ms. Popwell by telephone at (334) 353-2069 during this period to arrange for an appointment.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
March 6, 2020

CONTACT PERSON AT AGENCY:
Persons wishing a copy of the proposal may contact
Debbie Popwell
Department of Mental Health
100 North Union Street, Suite 540
Montgomery, Alabama 36130
(334) 353-2069

A copy of the proposed change is available on the department's website at <http://mh.alabama.gov>. Click on Provider Portal and then Certification to find code with changes.



(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

580-9-44-.10 ~~Infection Control~~. The entity shall develop, maintain, and document compliance with a written plan for exposure control relative to infectious diseases that shall, at a minimum, include the following requirements:

(1) ~~_____~~ The plan shall be inclusive of the entity's staff, clients, and volunteers.

(2) ~~_____~~ The plan shall be consistent with protocols and guidelines established for infection control in healthcare settings by the Federal Center for Disease Control, and shall at a minimum include:

(a) ~~_____~~ Policies and procedures to mitigate the potential for transmission and spread of infectious diseases within the agency.

(b) ~~_____~~ Risk assessment and screening of clients reporting high risk behavior and symptoms of communicable disease.

(c) ~~_____~~ Procedures to be followed for clients known to have an infectious disease.

(d) ~~_____~~ Provisions to offer directly or by referral to all clients who voluntarily accept the offer for HIV/AIDS early intervention services to include, HIV pre test and post test counseling and case management and referral services, as needed, for medical care.

(e) ~~_____~~ The provision of HIV/AIDS, Hepatitis, STD, and TB education for all program admissions.

(f) ~~_____~~ A formal process for screening all program admissions for TB.

(g) ~~_____~~ TB testing for all employees prior to initiation of duties after hiring, and annually thereafter.

(h) ~~_____~~ The entity shall document compliance with all laws and regulations regarding reporting of communicable diseases to the Alabama Department of Public Health.

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: New Rule: Filed January 26, 2012; effective March 1, 2012. Repealed: Filed December 19, 2019.